

AMENDMENTS TO THE ABSTRACT OF THE DISCLOSURE

Please amend the Abstract by rewriting same to read as follows.

~~This invention relates to an~~ An encoding/transmitting apparatus that is used to transmit moving-picture data from a transmitting side to a receiving side through a transmission path and to subject the moving-picture data to streaming in the receiving side. ~~The apparatus~~ has an external-output request determining unit ~~(16)~~ that monitors the state of a network. If the network assumes an undesirable state, the request determining unit ~~(16)~~ causes a multiplex output unit ~~(15)~~ to stop multiplexing data. When the network assumes a ~~good~~ desirable state, the multiplex unit ~~(15)~~ starts multiplexing the data again. A video encoding unit ~~(11)~~ and an audio encoding unit ~~(12)~~ keep encoding data, whether the multiplex output unit ~~(15)~~ is multiplexing data or not. When the area occupied by encoded data in an encoded-video-data storage unit ~~(13)~~ and the area occupied by encoded data in an encoded-audio-data storage unit ~~(14)~~ exceed a predetermined value, the encoding units ~~(11)~~ and ~~(12)~~ stop encoding data, and wait until the area occupied by encoded data sufficiently decreases.